

4/16/19

10:38 A.M.

Chapter No. 479  
19/HR31/R1883SG  
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## ***HOUSE BILL NO. 1247***

Originated in House



Clerk

HOUSE BILL NO. 1247

AN ACT TO AMEND SECTION 37-29-65, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE COUNTY SUPERINTENDENT OF EDUCATION SHALL AUTOMATICALLY SERVE AS A MEMBER OF THE BOARD OF A COMMUNITY COLLEGE DISTRICT; TO PROVIDE THAT THE BOARD OF SUPERVISORS OF ANY COUNTY WITHIN A COMMUNITY COLLEGE DISTRICT MAY APPOINT THE COUNTY SUPERINTENDENT OR ANOTHER QUALIFIED ELECTOR FROM THE RESPECTIVE COUNTY AT LARGE TO SERVE ON THE BOARD OF TRUSTEES; TO AMEND SECTION 37-29-457, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE SUPERINTENDENT OF SPECIAL MUNICIPAL SEPARATE SCHOOL DISTRICT IN ADAMS COUNTY AUTOMATICALLY SERVE AS A MEMBER OF THE COPIAH-LINCOLN COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** Section 37-29-65, Mississippi Code of 1972, is amended as follows:

37-29-65. (1) Except as provided in this section and in Sections 37-29-409, 37-29-457 and 37-29-505, there shall be \* \* \* five (5) trustees from each county of the junior college district which originally entered into and gave financial aid in establishing the junior college. On June 30, 1992, the offices of the six (6) trustees from each of the original counties in the Northwest Community College District shall stand vacated. The

board of supervisors of those respective counties shall appoint two (2) members on July 1, 1992, to serve full terms of office as provided in this section. \* \* \* The board of supervisors of those respective counties shall appoint \* \* \* one (1) member who is a qualified elector from each supervisors district to serve as a member, either of which may be the county superintendent of education if he or she resides in a respective supervisors district. Counties which subsequent to the establishment of the junior college joined the district shall have only \* \* \* one (1) trustee. However, the board of trustees so constituted, by appropriate resolution, may enlarge its number to six (6) trustees from each county \* \* \*. The board of trustees shall also be authorized within its discretion to reduce its number to two (2) trustees at large from each county \* \* \*. In any case in which there is an equal number of trustees the board of trustees may appoint another person to membership.

(2) The county superintendent, if appointed by the county board of supervisors, may, in his discretion, choose not to serve as a member of such board of trustees. Such decision not to serve shall be in writing and entered on the minutes of the board of trustees of the junior college district. The county board of supervisors of any county whose county superintendent of education \* \* \* appointed under the authority of this section, declines the appointment or resigns, pursuant to this \* \* \* subsection (2), shall fill the vacancy caused by such resignation

by appointing a member who is a qualified elector of the county at large in accordance with subsection (6) of this section. \* \* \* No county superintendent whose school district is located within the East Mississippi Community College District \* \* \* shall \* \* \* serve on the board of trustees for that community college district.

(3) From and after March 24, 1990, the Board of Trustees of the East Mississippi Community College District shall consist of twelve (12) members. The appointing authorities shall appoint a new board of trustees as follows: Clay County shall be entitled to two (2) members, Kemper County shall be entitled to two (2) members, Lauderdale County shall be entitled to two (2) members, Lowndes County shall be entitled to two (2) members, Noxubee County shall be entitled to two (2) members and Oktibbeha County shall be entitled to two (2) members. No member of the Board of Trustees of the East Mississippi Community College District shall have served on such board prior to March 24, 1990.

(4) The Board of Trustees of the Coahoma Community College District shall consist of \* \* \* nine (9) members. The appointing authorities shall appoint the new board of trustees as follows: Coahoma County shall be entitled to \* \* \* five (5) members appointed in the manner provided herein, Tunica County shall be entitled to \* \* \* one (1) member, Quitman County shall be entitled to \* \* \* one (1) member, Bolivar County shall be entitled to \* \* \* one (1) member, and Tallahatchie County shall be entitled to \* \* \*

one (1) member. Persons who are currently serving as members of the board of Trustees of the Mississippi Delta Community College District or Northwest Community College District shall be eligible for appointment to the board.

(5) The terms of office shall be five (5) years; however, upon the first selection of trustees in each county, one (1) shall be elected for a term of five (5) years, one (1) for a term of four (4) years, one (1) for a term of three (3) years, one (1) for a term of two (2) years, and one (1) for a term of one (1) year, so as to prevent the retirement of more than one (1) member of any one (1) county in any one (1) year. Where the board chooses or is required by statute to reduce its number, the board shall specify the expiration dates of such terms of office in order to prevent the retirement of more than one (1) member of any one (1) county in any one (1) year.

(6) The board of supervisors shall elect the requisite number of discreet persons of good moral character, sufficient education and experience, and of proven interest in public education, who are qualified electors of the county, as trustees of the junior college; and annually thereafter the board of supervisors in like manner shall fill vacancies. All trustees so appointed shall be listed in the minutes of the board of supervisors and their appointment shall be certified by the chancery clerk to the president of the junior college.

(7) Each junior college trustee may be paid, out of junior college funds, a per diem as authorized in Section 25-3-69, Mississippi Code of 1972, per meeting of said board and, in addition thereto, the mileage authorized under Section 25-3-41, Mississippi Code of 1972, per mile in coming to and returning from said meeting, calculated upon the customary and normally traveled route from the home of such trustee to the campus of said junior college. Such allowance of per diem and mileage shall not, however, be allowed for more than fifteen (15) meetings for any one (1) fiscal year and shall only be paid for meetings actually attended by such trustees.

(8) The provisions of this section, other than those provisions pertaining to per diem compensation and travel allowances for junior college trustees, shall not apply to any existing publicly operated junior college, lying in and operated by a county bordering on the Mississippi River, and the junior college trustees of such junior college shall be appointed and confirmed as heretofore.

(9) No county superintendent of education, by virtue of his or her office, shall be automatically placed on the board of trustees for any community college district to which this section applies. The number of trustees from each county shall be reduced by one (1) member if such member is superintendent of education. However, if the county board of supervisors, in making an appointment to the community college district board of trustees,

chooses to appoint the county superintendent of education at the expiration of the term of the at large member, the superintendent may serve, unless otherwise disqualified.

**SECTION 2.** Section 37-29-457, Mississippi Code of 1972, is amended as follows:

37-29-457. (1) The operation and control of the Covich-Lincoln Junior College District shall be vested in a board of trustees representing the seven (7) counties lying within the district. The said board shall consist of \* \* \* twenty (20) members to be chosen as follows:

(a) Covich County shall be entitled to \* \* \* five (5) members who shall be elected and serve according to Section 37-29-65.

(b) Lincoln County shall be entitled to \* \* \* five (5) members who shall be elected and serve according to Section 37-29-65.

(c) Lawrence County shall be entitled to \* \* \* one (1) member who shall be elected and serve according to Section 37-29-65.

(d) Franklin County shall be entitled to \* \* \* one (1) member who shall be elected and serve according to Section 37-29-65.

(e) Simpson County shall be entitled to \* \* \* one (1) member who shall be elected and serve according to Section 37-29-65.

(f) Jefferson County shall be entitled to \* \* \* one (1) member who shall be elected and serve according to Section 37-29-65.

(g) Adams County shall be entitled to \* \* \* five (5) members who shall be elected from the residents of said county by the board of supervisors of Adams County within thirty (30) days of February 4, 1975 \* \* \*.

The terms of office for the members shall be five (5) years. However, upon the first selection of trustees in the county, one (1) shall be elected for a term of five (5) years, one (1) for a term of four (4) years, one (1) for a term of three (3) years, one (1) for a term of two (2) years, and one (1) for a term of one (1) year, so as to prevent the retirement of more than one (1) member in any one (1) year. The members elected from Adams County shall have like qualifications and receive the same compensation as the members from other counties as provided by Section 37-29-65.

(h) There shall be one (1) member of the board of trustees who shall be elected by the members of the said board of trustees from among the residents of the Copenhaver-Lincoln Junior College District. Said member so chosen shall serve a five \* \* \* -year term and have the same powers and duties as the other board members.

(2) Except as provided in \* \* \* paragraph (g) of this subsection (1), persons who are currently serving as members of



the board of trustees of the Copiah-Lincoln Junior College District shall complete their terms without interruption.

**SECTION 3.** This act shall take effect and be in force from and after July 1, 2019.

PASSED BY THE HOUSE OF REPRESENTATIVES  
March 28, 2019

  
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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
March 28, 2019

  
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PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
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GOVERNOR

*April 16, 2019*

*10:38 AM*